

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Janet Linn Ammons
Debtor(s)

Bankruptcy Case No.: 18-24569-CMB
Issued Per June 13, 2019 Proceeding
Chapter: 13
Docket No.: 56 – 25, 30
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 17, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: June 17, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Janet Linn Ammons
 Debtor

Case No. 18-24569-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 26

Date Rcvd: Jun 17, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 19, 2019.

db +Janet Linn Ammons, 172 North Avenue, Washington, PA 15301-3558
 cr +Borough of East Washington, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 14999723 +Borough of East Washington, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14954987 +CC Holdings, Attn: Card Services, Po Box 9201, Old Bethpage, NY 11804-9001
 14970669 CW Nexus Credit Card Holdings 1, LLC, Resurgent Capital Services, PO Box 10368,
 Greenville, SC 29603-0368
 14954988 +Commonwealth Fin / Wash Hospital, Attn: Bankruptcy, 245 Main Street,
 Dickson City, PA 18519-1641
 14954989 +Keybank/usb Cc, Attn: Bankruptcy Department, 4910 Tiedeman Road, Brooklyn, OH 44144-2338
 14954991 +LVNV Funding/Resurgent / Credit One, Attn: Bankruptcy, Po Box 10497,
 Greenville, SC 29603-0497
 14954990 +Lendmark Financial Services, 1735 North Brown Road, Suite 300,
 Lawrenceville, GA 30043-8228
 14954996 +Quicken Loans, P.O. Box 6577, Carol Stream, IL 60197-6577
 14954998 +Trident Asset Management / Verizon, Attn: Bankruptcy, Po Box 888424,
 Atlanta, GA 30356-0424
 14989288 Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000 Raleigh, NC 27605
 14954999 +Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14972222 +E-mail/Text: bnc@atlasacq.com Jun 18 2019 03:18:46 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 14963478 E-mail/Text: JCAP_BNC_Notices@jcap.com Jun 18 2019 03:19:53 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 14968686 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Jun 18 2019 03:19:50 KeyBank N.A.,
 4910 Tiedeman Road, Brooklyn, OH 44144-2338
 14975613 E-mail/Text: ktramble@lendmarkfinancial.com Jun 18 2019 03:18:37
 Lendmark Financial Services LLC, Attn: Bankruptcy Dept., 2118 Usher Street NW,
 Covington, Georgia 30014
 14970748 E-mail/PDF: resurgentbknofications@resurgent.com Jun 18 2019 03:23:24 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14954992 +E-mail/Text: bkr@cardworks.com Jun 18 2019 03:18:34 Merrick Bank, P.O. Box 660702,
 Dallas, TX 75266-0702
 14954993 +E-mail/Text: bankruptcydpt@mcsmcg.com Jun 18 2019 03:19:33 Midland Funding LLC,
 2365 Northside Drive, #300, San Diego, CA 92108-2709
 14954994 +E-mail/Text: courts@scott-pc.com Jun 18 2019 03:20:24 Midland Funding, LLC,
 c/o Scott & Associates PC, P.O. Box 75011-5220
 14985925 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 18 2019 03:24:31
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14955951 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 18 2019 03:23:52
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14970747 E-mail/PDF: resurgentbknofications@resurgent.com Jun 18 2019 03:23:21
 Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 14954995 +E-mail/PDF: gecsed@recoverycorp.com Jun 18 2019 03:23:04 Portfolio Recovery / Synchrony,
 Po Box 41021, Norfolk, VA 23541-1021
 14968067 +E-mail/Text: bankruptcyteam@quickenloans.com Jun 18 2019 03:19:57 Quicken Loans Inc.,
 635 Woodward Avenue, Detroit, MI 48226-3408

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Quicken Loans Inc.
 cr* +Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14972623* +Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
 14954997 ##+Security Check / Tempoe, Attn: Bankruptcy Dept, 2612 Jackson Ave W, Oxford, MS 38655-5405
 TOTALS: 1, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 26

Date Rcvd: Jun 17, 2019

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 19, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 17, 2019 at the address(es) listed below:

David A. Rice on behalf of Debtor Janet Linn Ammons ricelawl@verizon.net, lowdenscott@gmail.com
James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of East Washington jhunt@grblaw.com,
cnoroski@grblaw.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Scott R. Lowden on behalf of Debtor Janet Linn Ammons niclowlgl@comcast.net

TOTAL: 6